

REMARKS/ARGUMENTS

Applicant wishes to thank Examiner Kishore for indicating that all prior art rejections have been withdrawn.

Claims 176-189 are currently pending the present application.

The rejection of claims 176-189 under the judicially created doctrine of obviousness type double patenting as being unpatentable over claims 1-68 of US Patent No. 6,726,925 has been overcome by the filing of the attached Terminal Disclaimer.

The filing of the Terminal Disclaimers is not to be construed as an admission, estoppel or acquiescence. See *Quad Environmental Technology v. Union Sanitary District*, 20 USPQ2d 1392 (Fed. Cir. 1991) and *Ortho Pharmaceuticals Corp. v. Smith*, 22 USPQ2d 1119 (Fed. Cir. 1992).

In view of the above, consideration and allowance are, therefore, respectfully solicited.

Applicant believes no fee is due with this response. However, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 22-0185, under Order No. 14514-00007-US1 from which the undersigned is authorized to draw.

Dated: May 16, 2008

Respectfully submitted,

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